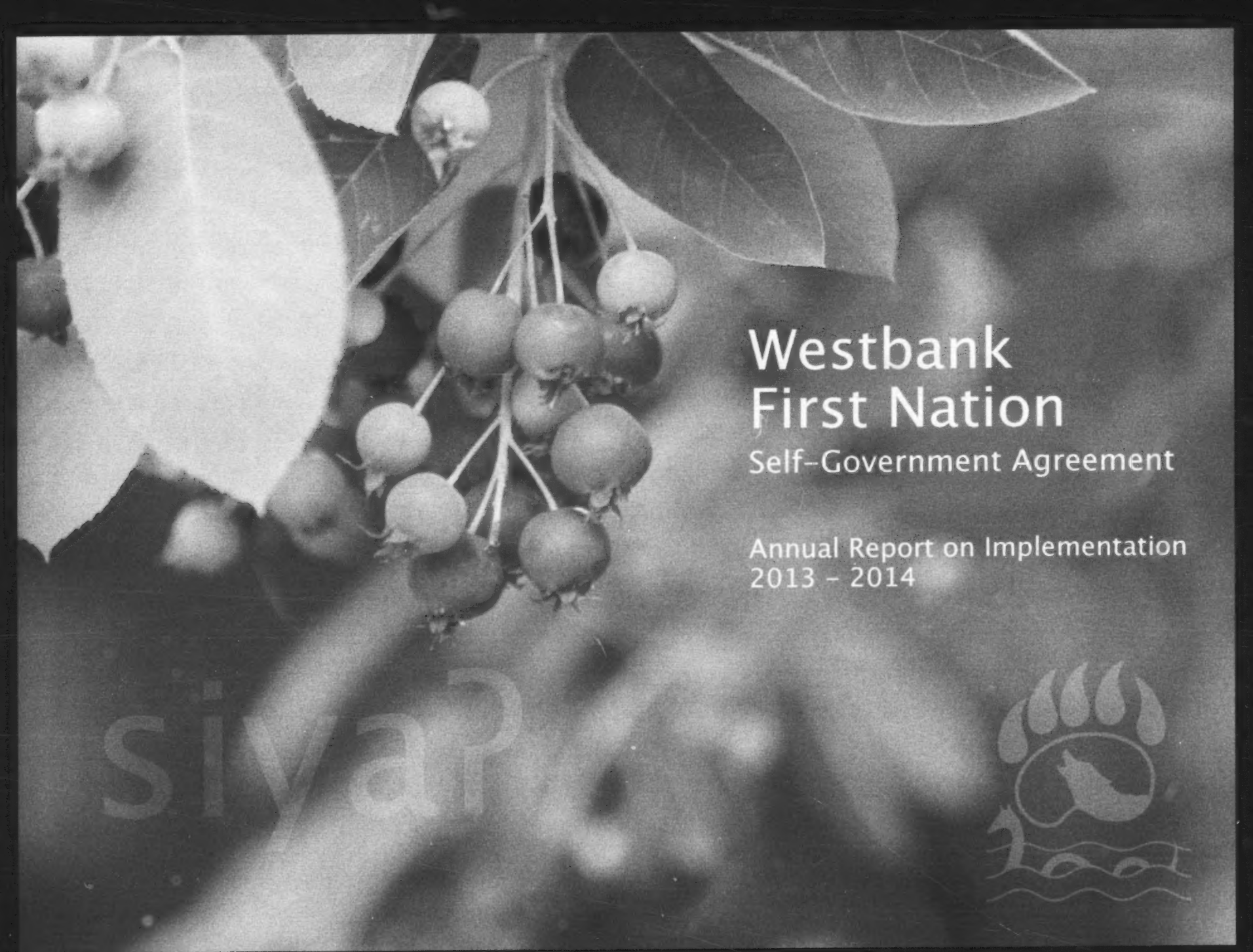

Westbank First Nation

Self-Government Agreement

Annual Report on Implementation
2013 - 2014

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Cette publication est également disponible en français sous le titre:
Rapport annuel de 2013-2014 sur la mise en oeuvre de l'accord d'autonomie gouvernementale de la première nation de Westbank.

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siyaP

Chief Saskatoon Berry

The Chief for things growing on land.

Each saskatoon bush is constructed of hundreds of individual shoots, the result of years of growth. The saskatoon berry represents the strength that results from being in one place for many generations. In this way, the saskatoon berry represents the unique relationship we have to the land, as the Syilx have resided on this land for thousands of years.

Chief Saskatoon Berry represents our community.

All of the individual families of the community are represented in the individual shoots, leaves, and berries of the saskatoon bush. Although a community is a construct of individuals, it is the working together of those individuals that creates community. A saskatoon berry on its own is not a bush, nor is a shoot or a leaf. But together they create the saskatoon bush and provide a place of nourishment for others. One part of creation cannot be what it is without the other parts of creation playing their proper role.

Just as the shoots in the saskatoon bush need each other to continue to reproduce and grow, people need each other to reach their full potential. The berry has the potential to reproduce, to add to the bush, but before it can begin to give to the next generation, the berry must give itself as food or fall to the ground and die. In the same way the Syilx have a tradition of giving of themselves and their possessions to see life passed on to future as well as present generations. The saskatoon bush relies on the outside help of foraging animals or berry pickers for its continued growth, just as a healthy community relies on its connections with other communities for healthy economic, social, and cultural exchange. There is an interdependence within every community, and this helps to create a healthy community.

Sharing in the journey of self-government.

Letter from the Intergovernmental Implementation Committee

The Intergovernmental Implementation Committee (IIC) is pleased to present this 2013/14 Implementation Report on Self-Government.

The IIC continued its involvement in the Fiscal Transfer Arrangements (FTA) negotiations, the five year review process for the Self-Government Agreement (SGA), and the proposed federal amendments to the Additions to Reserve policy. Significant progress has been made in FTA negotiations and it is fully anticipated that it will be finalized in the upcoming fiscal year.

In January 2014 an Agreement was reached between Westbank and Canada with respect to the administrative process for WFN approval of surveys on Westbank Lands. This Agreement was an outstanding activity in the Implementation Plan for the SGA and has now been completed.

Canada moved the file for the implementation of the WFN SGA from the National Capital Region to their Vancouver office. As a result, Kevin Malone is now the Implementation Coordinator for the Westbank file.

Westbank First Nation will reach a significant milestone on April 1, 2015 as it will be the ten year anniversary since the implementation of self-government. It makes us proud to be witness and share in the accomplishments and the progress that Westbank has made in such a short period of time.

Kimberly Thompson
Director of Treaty Management West
AANDC

Mike DeGuevara
Councillor
Westbank First Nation

Walking the path to a healthy and prosperous community.

way' x̌ast sx̌əlx̌ʔalt

It has been another extremely busy year for the Westbank First Nation government.

With respect to self-government activities, the priorities have been focused on continued negotiations with Canada for a new Financial Transfer Agreement, engaging the community for input into proposed changes to the Membership Rules, addressing the Westside Road Land Exchange issue, revisiting the WFN Government Strategic Plan and protecting and promoting heritage and culture through the expansion of the WFN Heritage Repository to a full-fledged museum. It goes without saying that the continued attention to good governance practices is ongoing including the development of new policies and procedures.

Westbank First Nation continues to make great strides, but every undertaking requires time and support and cannot move forward without the hard work and dedication of a committed staff. I can unequivocally say that we are truly fortunate to have that staff on board and I extend my heartfelt appreciation to each of them for jobs well done.

As we walk the path to a healthy and prosperous future, we will continue to set high standards to meet the needs and vision of the Westbank First Nation community. I am proud and humbled to be a part of this journey.

way' l̓imləmt

Chief Robert Louie
Westbank First Nation

Noteworthy

As of 2011, $80 million in annual fiscal revenue is generated for Canada and B.C. through sales tax, personal income tax and corporate tax on Westbank Lands (Canada-$50 million and B.C. $30 million)

Historically known as stqaʔtkʷníwt

Language: nsyilxcən

Affiliation: One of eight member bands that comprise the Okanagan Nation (includes Colville Confederated Tribe from Washington State)

Location: South central interior of British Columbia, Canada

Land base: 5 land parcels totaling 5,340 acres

Government: Self-governing First Nation

Leadership: 1 Chief and 4 Councillors (elected by the membership every three years)

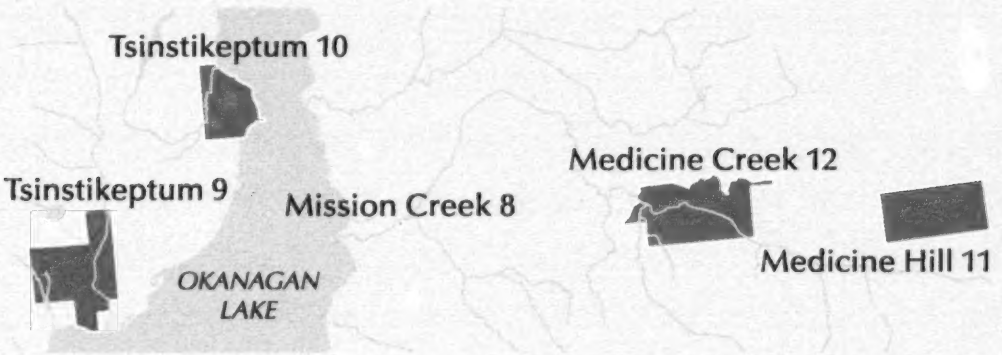
Band membership: 782

Number of government employees: 180

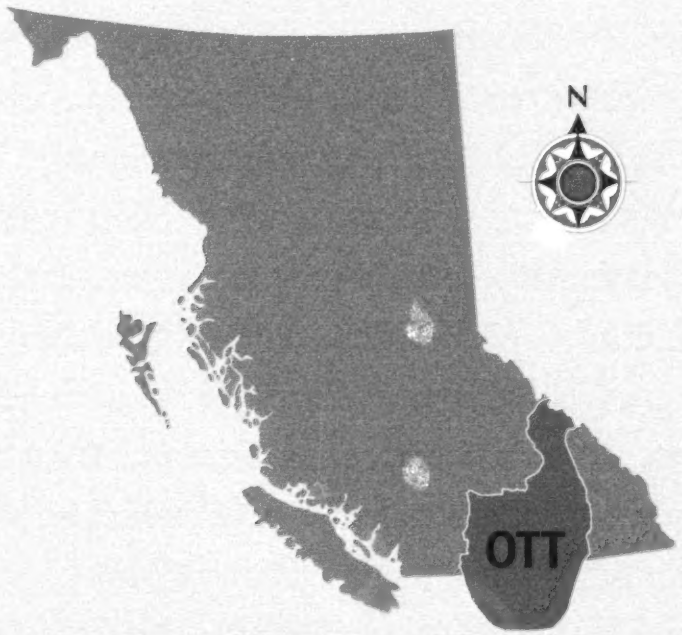
Residents: Approximately 9,000 non-member residents reside on WFN lands

Advisory Council: A five member advisory council elected every three year to represent the interests of non-members residing on, or having interests in, WFN lands

Westbank First Nation Lands



Okanagan Traditional Territory



Self-Government Implementation **Year in Review 2013-2014**

Westbank First Nation entered its ninth year since the implementation of self-government in 2005. 2013 also saw Westbank celebrate its 50 year anniversary since separating from the Okanagan Indian Band in October 1963. This included hosting an outdoor BBQ along with games, activities, and live music. The leadership and its government continues to work toward creating a safe, healthy, vibrant community.

Highlights

Law and Policy Development

One of the goals in the WFN Government Strategic Plan 2013-2016 sets out that the Westbank government will continue to establish and review laws and policies in order to strengthen its model of governance. In keeping with this goal, the administration has invested time into policy development and amendments to ensure consistency and accountability for the organization.

One of the highlights in policy development has been the implementation of a Client Services Policy to ensure clients receive efficient and effective service. As well, sections of the Personnel Policy were amended and to complement those amendments, a Health and Wellness Allowance and a Health Care Spending Account for Westbank employees was brought in as a way to decrease sick leave costs for the organization and assist employees in defraying the cost for their benefits.

No new laws were enacted or amended during this fiscal year although five existing laws are slated for review and amendment in the upcoming year.

Westbank First Nation is currently conducting another review of its *Constitution,* last amended in July 2007. This process was initiated in response to the Membership's direction to revisit the Membership Rules, which forms Part III of the *Constitution*. Regular community working group meetings have been taking place to seek input. Once the review and the consultation process is complete, a referendum will take place.

Intergovernmental and Other Agreements

Negotiations with Canada for a new Fiscal Transfer Agreement continued. A fourth one year FTA extension was entered into through waiver of sections 234 (b) and 247 of the WFN Self-Government Agreement prior to the start of this fiscal year. Progress continues to be made as the parties work toward resolving the last remaining issues. It is fully anticipated that a new agreement will be finalized early in 2015.

Westbank First Nation and Natural Resources Canada (NRCan) signed a Letter of Agreement addressing Westbank's administrative responsibility for approval of surveys on Westbank Lands. Entering into this Agreement was an outstanding obligation set out in the Implementation Plan for the Self-Government Agreement.

Internal surveys and land transactions on Westbank lands were previously administered in accordance with an Interdepartmental Agreement between the Department of Indian Affairs and Northern Development and the Department of Natural Resources Canada. Land surveys on Westbank Lands are conducted in accordance with federal legislation.

A Letter of Expectation (LOE) was entered into between Westbank First Nation and the RCMP for First Nation Community Policing. The LOE identifies three priorities for policing on Westbank lands including drug prevention, youth/elders communication and traffic enforcement.

In January 2014 Westbank First Nation and School District 23 signed an Aboriginal Education Enhancement Agreement. This agreement supports enhanced curriculum development and provides for the delivery of appropriate services to aboriginal students to meet their needs and achieve success. School District #23 Aboriginal student graduation rates are close to 70%, up from 40% in previous years.

Additions to Westbank Lands

During the year, 6.15 acres of land was returned to Westbank First Nation under the federal Additions to Reserve (ATR) Policy. In the early 1900s, these lands were part of the Tsinstikeptum Indian Reserve #10 but were taken by the Province of British Columbia for a road access to the then functioning ferry operations between the westside of Okanagan Lake and the City of Kelowna. The Ferry Dock causeway is still in the ATR process.

Infrastructure Development

Infrastructure improvements continue to take place on Westbank lands. More than $3.5 million was spent on a number of projects including additional sidewalks and street lighting, landscaping and public art projects, the installation of an electronic reader board, the installation of a storm water retention pond to alleviate flooding in the Boucherie Road area, and completion of the conceptual designs for the first phases of the community core and for the Falcon/Fox Road subdivision extension. A Master Drainage Plan for storm water management was adopted by Council. It identifies the need for a high capacity drainage system and will be incorporated into the capital planning process.

In April 2013, the Nancee Way overpass officially opened to the public. This transportation project was the final phase of the $41 million Westside Road Interchange. As well, work began on the $15 million Sneena Road extension project. These projects, administered by WFN, were a result of agreements reached with the BC Ministry of Transportation and Infrastructure (MOTI) and serve to improve traffic safety on Highway 97 and complement the road network on the west side of Okanagan Lake.

To complete the Westside Road Interchange Agreement with the Province of BC, Westbank continues to research and identify suitable replacement lands for the lands given up for the transportation corridor improvement project.

The Membership gave its approval to change the land use designation and zoning regulations for a site within the Tsinstikeptum Indian Reserve #9 community core to allow for the construction of a youth centre and to expend the money for the project. These decisions were both made through the secret ballot voting process.

Also approved by secret ballot in accordance with the Membership Rules set out in the Constitution were nine applications for membership transfer to Westbank.

Sncəwips Heritage Museum

The WFN Heritage Repository and offices moved into a larger, more visible location. It also underwent a name change and is

now the Sncawips Heritage Museum. Sncawips is a metaphor for how our collections tell the story of our roots and how we came to be – essentially our heritage.

Elections

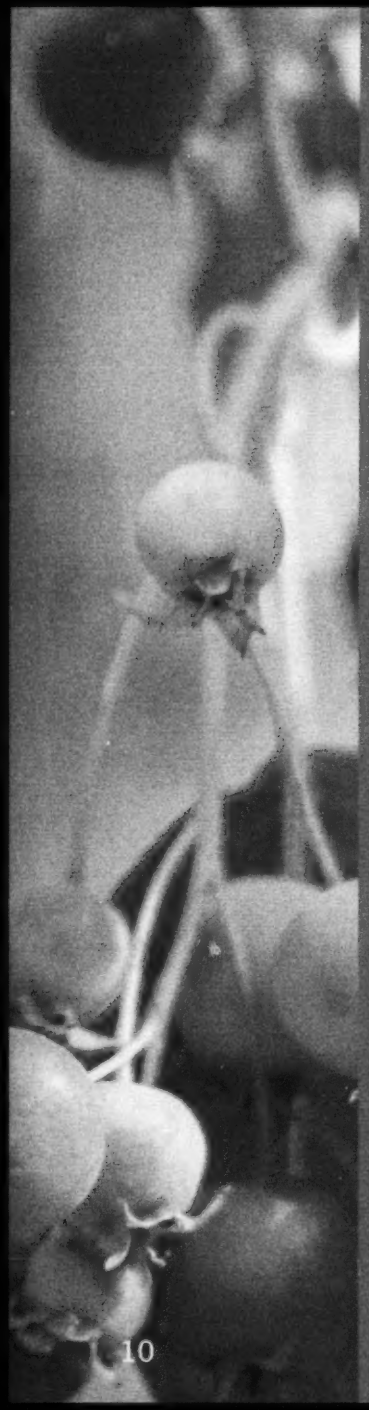
Chief and Council elections took place in August 2013 and incumbents Robert Louie (Chief) and Mike DeGuevara, Chris Derickson, and Mic Werstuik (Councillors) were re-instated. Former Councillor Lorrie Hogaboam chose not to run again and her seat was filled by Brian Eli.

Membership Services

A new Membership Services department was created to centralize and improve Membership services. The department consists of a Membership Services Supervisor, Membership Registry Specialist, Elder Coordinator, WFN Member Employment Coordinator, and the Membership Clerk.

Economic Development Conference

In November 2013, WFN hosted a very successful Lands and Economic Development Conference to increase knowledge about doing business on Westbank lands through promotion, education, and networking.



Financial Management

Investing in our future.

Since self-government financial planning has ensured WFN is in a position to meet its current and future financial needs as the community grows. As part of good governance, reserve accounts have been maintained or established from own source revenues to meet community needs or contingencies. As contemplated looking ahead last year, this year saw the WFN government begin to draw more heavily on these reserves to make important capital investments. Investments were made in the amount of $5.4 million that included capital projects for housing, sidewalks, roads, and new equipment. Accordingly, net financial assets declined $1.3 million in 2014 to $38.8 million from a previous year balance of $40.1 million.

Consolidated revenues increased $800,000 to $36.1 million from $35.3 million in 2013. As in previous years, a significant portion of the consolidated revenue came from property taxes. The federal self-government contribution in the amount of $4,980,929 represented 13.8% of the consolidated revenues. Expenses increased from $31.3 million to $33.9 million. Accordingly, the WFN government continues to show a surplus which for 2013/14 was $2.2 million.

During the course of this year, the mortgage balance of $195,000 on the Community Services Building was paid out. In addition, WFN financed approximately $1 million to support infrastructure and build new housing for members. Long term debt (after normal repayments) was at $5.9 million at year end, up from $5.4 million the previous year. At the end of the year, WFN "non-financial assets" (infrastructure, equipment, vehicles) were valued at $54.2 million, up from $52.6 million in 2013.

Looking Ahead

WFN and Canada had expected to complete the second Westbank First Nation Self-Government Agreement FTA in 2014 and, although progress has been made, it was not completed by fiscal year end. It is, however, expected to be concluded by the end of 2014. Implementing a new fiscal relationship between WFN and Canada that accounts for the provisions of the SGA has been a challenge.

For 2014/15, as for 2013/14, capital projects continue to be a key priority for the WFN government. This includes additional member housing, a youth centre and sports court, and other community infrastructure projects. As well, in accordance with the WFN Government Strategic Plan, WFN will look to continue to build capacity and support training and employment opportunities. This includes making future investments in education.

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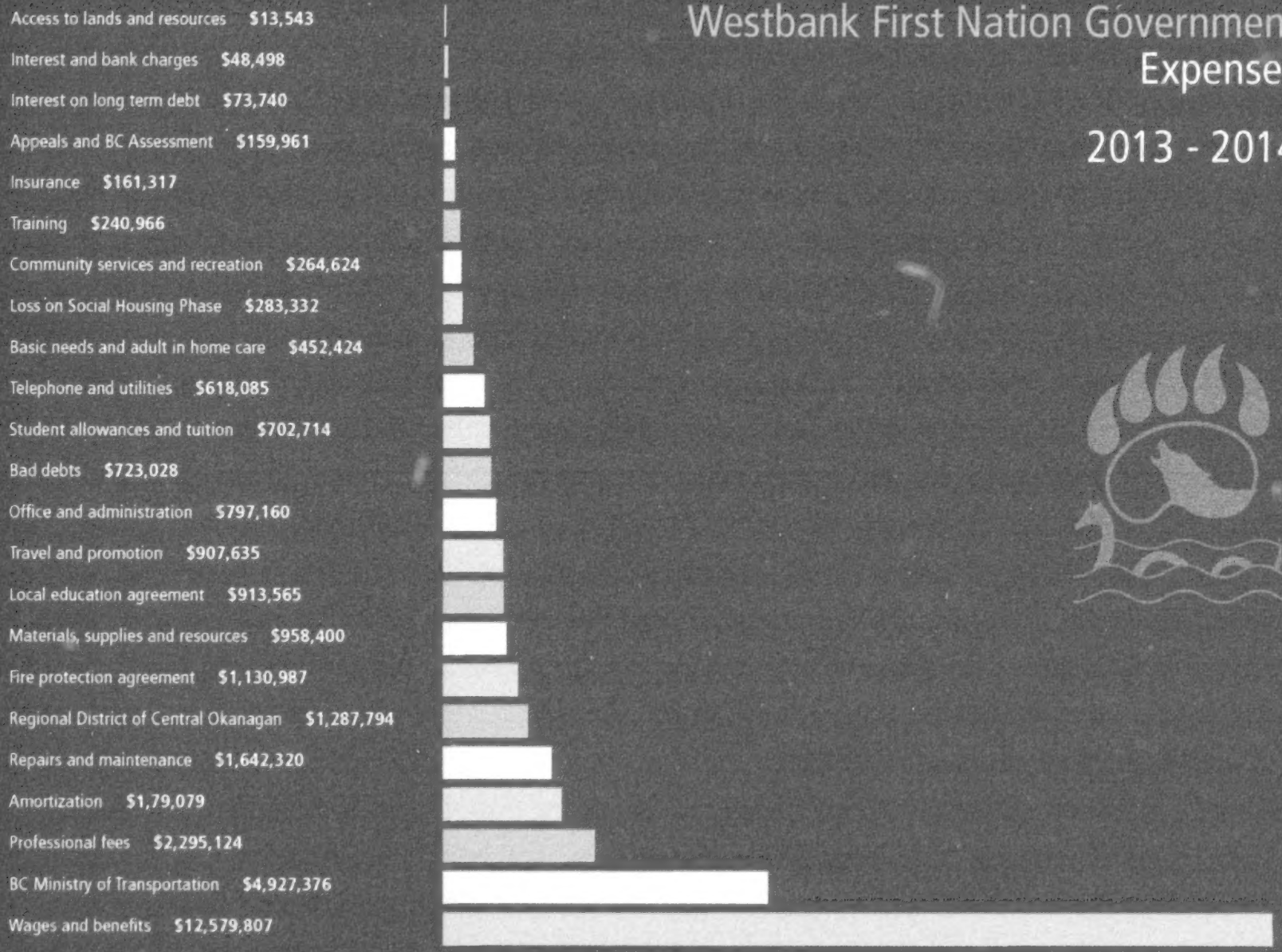
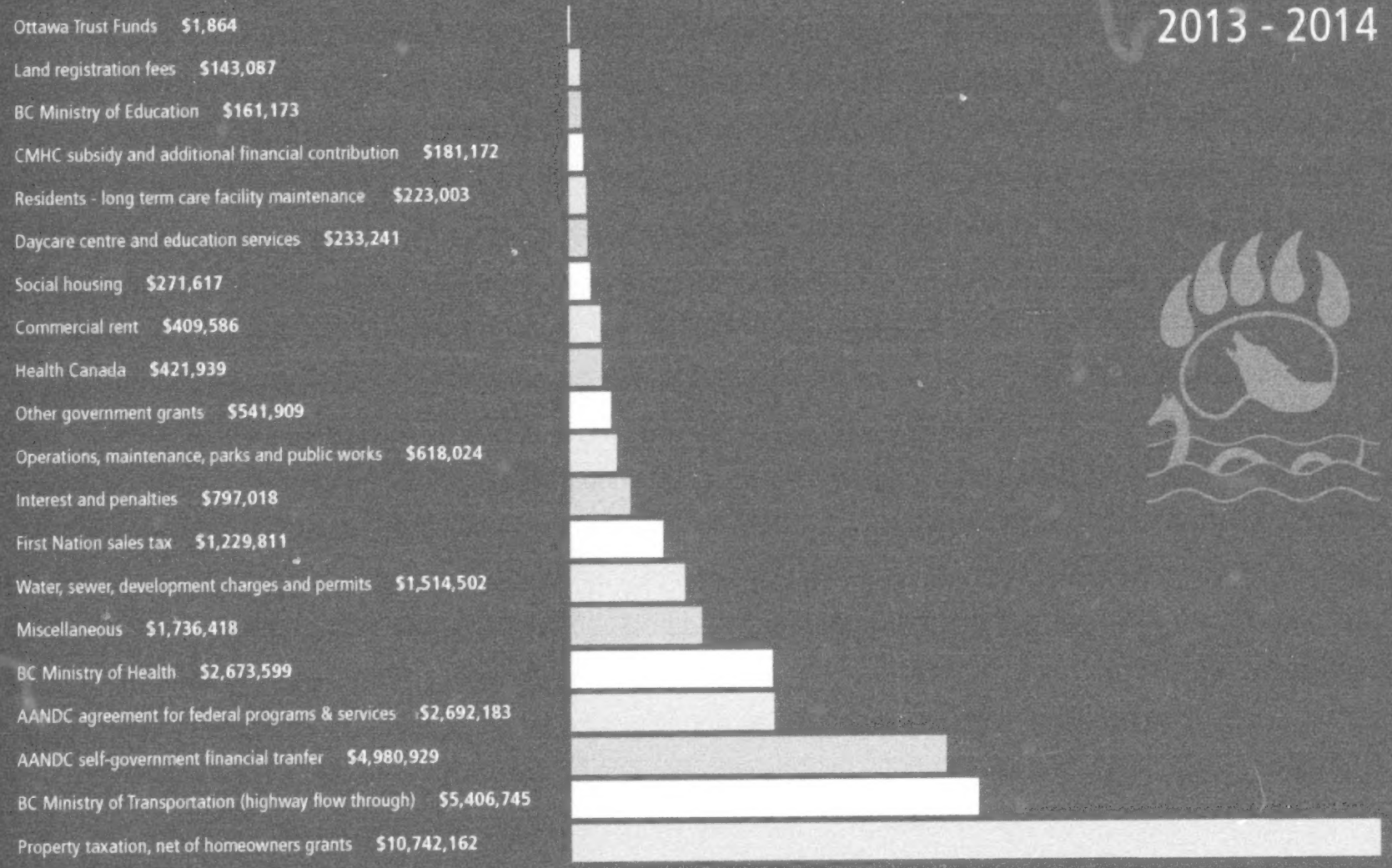
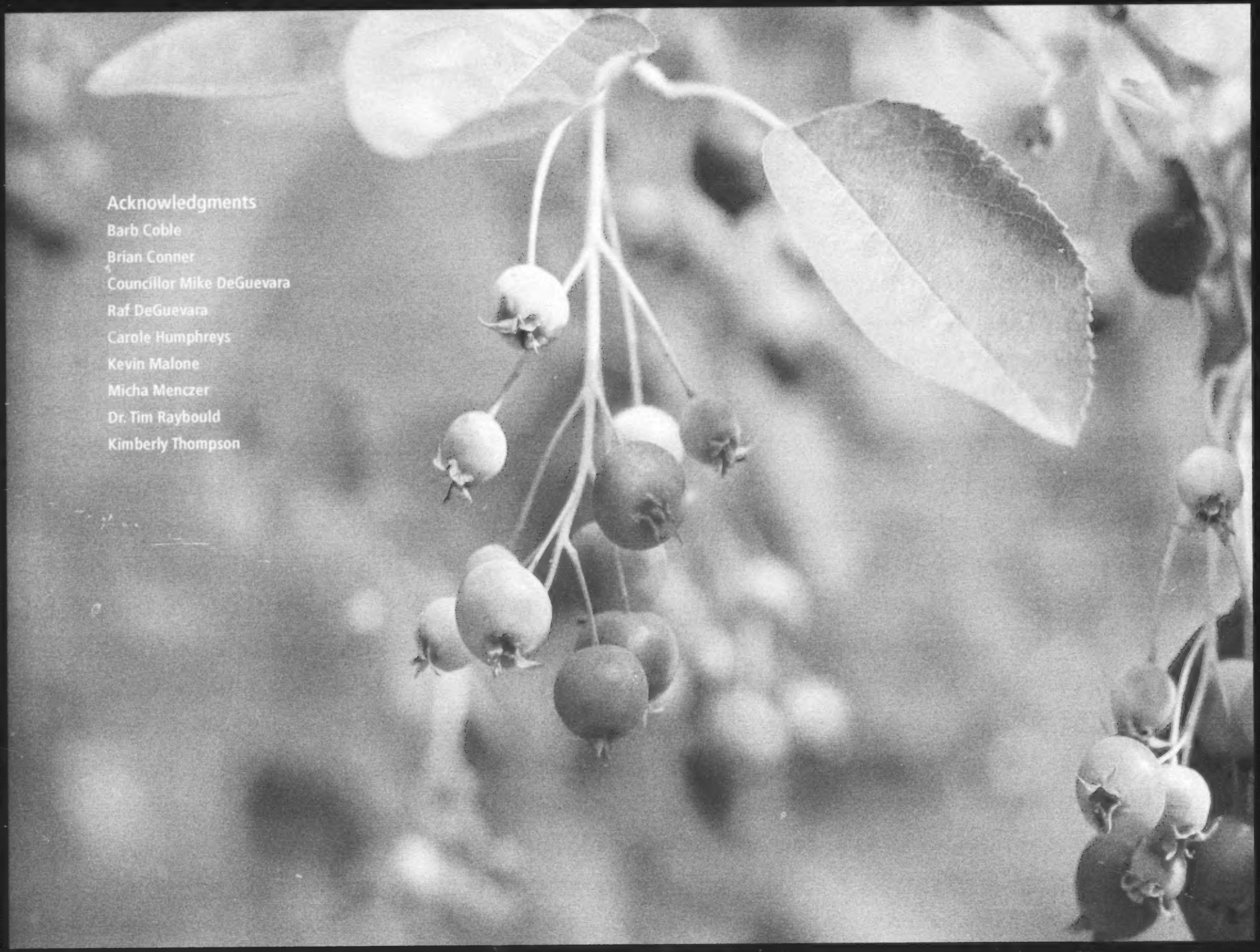
Westbank First Nation Government
Expenses
2013 - 2014


Access to lands and resources $13,543
Interest and bank charges $48,498
Interest on long term debt $73,740
Appeals and BC Assessment $159,961
Insurance $161,317
Training $240,966
Community services and recreation $264,624
Loss on Social Housing Phase $283,332
Basic needs and adult in home care $452,424
Telephone and utilities $618,085
Student allowances and tuition $702,714
Bad debts $723,028
Office and administration $797,160
Travel and promotion $907,635
Local education agreement $913,565
Materials, supplies and resources $958,400
Fire protection agreement $1,130,987
Regional District of Central Okanagan $1,287,794
Repairs and maintenance $1,642,320
Amortization $1,79,079
Professional fees $2,295,124
BC Ministry of Transportation $4,927,376
Wages and benefits $12,579,807

Westbank First Nation Government
Consolidated Revenues
2013 - 2014


Ottawa Trust Funds $1,864
Land registration fees $143,087
BC Ministry of Education $161,173
CMHC subsidy and additional financial contribution $181,172
Residents - long term care facility maintenance $223,003
Daycare centre and education services $233,241
Social housing $271,617
Commercial rent $409,586
Health Canada $421,939
Other government grants $541,909
Operations, maintenance, parks and public works $618,024
Interest and penalties $797,018
First Nation sales tax $1,229,811
Water, sewer, development charges and permits $1,514,502
Miscellaneous $1,736,418
BC Ministry of Health $2,673,599
AANDC agreement for federal programs & services $2,692,183
AANDC self-government financial tranfer $4,980,929
BC Ministry of Transportation (highway flow through) $5,406,745
Property taxation, net of homeowners grants $10,742,162



Acknowledgments

Barb Coble

Brian Conner

Councillor Mike DeGuevara

Raf DeGuevara

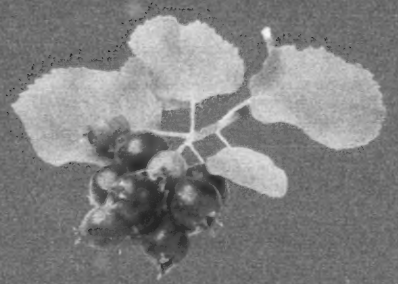
Carole Humphreys

Kevin Malone

Micha Menczer

Dr. Tim Raybould

Kimberly Thompson



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